



# Journal of the Senate

State of Indiana

114th General Assembly

Second Regular Session

Twenty-ninth Meeting Day

Tuesday Afternoon

March 7, 2006

The Senate convened at 1:39 p.m., with the President Pro Tempore of the Senate, Robert D. Garton, in the Chair.

The Senate Reader was directed to read the previously read section of the District Court's Order in *Hinrichs v. Bosma*, as set out in full in the Senate Journal of January 9, 2006.

Silent prayer followed the reading.

The Pledge of Allegiance to the Flag was led by the President Pro Tempore of the Senate.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Long
Becker	Lubbers
Bowser	Lutz
Bray	Meeks
Breaux	Merritt
Broden	Miller
Craycraft	Mishler
Delph	Mrvan
Dillon	Nugent
Drozda	Paul
Ford	Riegsecker
Gard	Rogers
Garton	Simpson
Harrison	Sipes
Heinold	Skinner
Hershman	Smith
Howard	Steele
Hume	Tallian
Jackman	Waltz
Kenley	Waterman
Kruse	Weatherwax
Lanane	Wyss
Landske	Young, M.
Lawson	Young, R.
Lewis	Zakas

Roll Call 333: present 50. The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

## RESOLUTIONS ON FIRST READING

### House Concurrent Resolution 49

House Concurrent Resolution 49, sponsored by Senator Harrison:

A CONCURRENT RESOLUTION urging the legislative council to direct the pension management oversight commission to study the factors used to compute public employees' pensions.

*Whereas, The legislature established the pension management oversight commission to serve as the watchdog of the funding and adequacy of public pensions;*

*Whereas, Under IC 2-5-12-2, the pension management oversight commission is charged with determining what constitutes adequate wage replacement levels at retirement (including benefits from public retirement funds and Social Security) for public employees;*

*Whereas, According to a December 2005 Wisconsin Legislative Council study, Indiana's PERF and TRF benefit multiplier is the lowest among all 85 plans surveyed; and*

*Whereas, The General Assembly would like the pension management oversight commission to analyze the comparative retirement benefits programs of Indiana and other state programs: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the legislative council is urged to direct the pension management oversight commission to study the factors used to compute public employees' pensions.

The resolution was read in full and referred to the Committee on Rules and Legislative Procedure.

### House Concurrent Resolution 55

House Concurrent Resolution 55, sponsored by Senator Lawson:

A CONCURRENT RESOLUTION urging the legislative council to assign to the appropriate committee the topic of department of child services caseworkers carrying nonlethal weapons.

*Whereas, Department of child services caseworkers are often placed in dangerous, unsupervised situations and must be ready to make life or death decisions in the field; and*

*Whereas, In order to protect both the caseworkers and the children they are protecting, it is necessary that the issue of carrying nonlethal weapons and the training necessary to use these weapons be studied more fully: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the legislative council is urged to assign to the appropriate committee the topic of department of child services caseworkers carrying nonlethal weapons.

SECTION 2. That the committee shall operate under the direction of the legislative council and that the committee shall issue a final report when directed to do so by the council.

The resolution was read in full and referred to the Committee on Rules and Legislative Procedure.

#### **House Concurrent Resolution 56**

House Concurrent Resolution 56, sponsored by Senator Waterman:

A CONCURRENT RESOLUTION urging the Indiana department of transportation to rename the bridge on State Road 241 over Kessinger Ditch in Knox County the Bud Reitmeyer Bridge.

*Whereas, Bud Reitmeyer was born on September 6, 1937, in Knox County, Indiana, and lived there until his death in July 2004;*

*Whereas, Bud Reitmeyer became interested in bridge construction in 1957 when he began working with one of Indiana's largest bridge contractors;*

*Whereas, Although he began as an office assistant, Bud Reitmeyer was quickly promoted to office manager and then to project manager and helped to build and manage several projects on the new interstate highway system that was being built in southern Indiana;*

*Whereas, Upon the death of the company founder in 1973, Bud Reitmeyer was named president;*

*Whereas, The name of Bud Reitmeyer can be linked to the construction, repair, and rehabilitation of more than 800 bridges in Indiana and Illinois;*

*Whereas, Bud Reitmeyer always held a special spot in his heart for the bridges of Knox County, having helped to build and repair more than 125 bridges;*

*Whereas, Bud Reitmeyer was the only man to hold two terms as president of Indiana Constructors Inc., the state's highway contractors association, and received both the prestigious Sir Award for outstanding service to this organization and the Presidents' Cup Award;*

*Whereas, Bud Reitmeyer was also active in the American Road and Transportation Builders Association and many other Knox County organizations; and*

*Whereas, There could be no better way to honor Bud Reitmeyer than to place his name on a bridge: Therefore,*

*Be it resolved by the House of Representatives  
of the General Assembly of the State of Indiana,  
the Senate concurring:*

SECTION 1. That the Indiana General Assembly can find no better way to honor the memory of Bud Reitmeyer than to urge the Indiana

department of transportation to rename the bridge on State Road 241 over Kessinger Ditch in Knox County the Bud Reitmeyer Bridge.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the family of Bud Reitmeyer and the commissioner of the Indiana department of transportation.

The resolution was read in full and referred to the Committee on Commerce and Transportation.

#### **House Concurrent Resolution 58**

House Concurrent Resolution 58, sponsored by Senator Drozda:

A CONCURRENT RESOLUTION urging the Indiana department of transportation to rename State Road 28 from US 31 east through Tipton, Indiana, the Richard Regnier Memorial Highway.

*Whereas, Richard Regnier served in the Indiana House of Representatives from 1981 to 1986;*

*Whereas, While in the Indiana House of Representatives, Richard Regnier served Hoosiers living in Carroll, Clinton, Hamilton, Howard, and Tipton Counties;*

*Whereas, Richard Regnier was born on September 3, 1929, in Huntington and moved to Tipton in 1937;*

*Whereas, Richard Regnier graduated from Tipton High School, received a Bachelor of Arts degree from Wabash College, attended Notre Dame Law School, and a received a Doctor of Juris Prudence from Indiana University;*

*Whereas, Richard Regnier was very active in the Republican party, serving as the Tipton County Republican Committee chairman from 1966 to 1974;*

*Whereas, In addition to his responsibilities as a legislator and attorney, Richard Regnier was a Freemason and a member of the county and state bar associations, Rotary, Chamber of Commerce, and Phi Kappa Psi; and*

*Whereas, Richard Regnier was a dedicated family man and public servant who spent countless hours serving the citizens of Tipton County and the entire state: Therefore,*

*Be it resolved by the House of Representatives  
of the General Assembly of the State of Indiana,  
the Senate concurring:*

SECTION 1. That the Indiana General Assembly wishes to remember Richard Regnier for his years of dedicated service to the people of Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the family of Richard Regnier and the commissioner of the Indiana department of transportation.

The resolution was read in full and referred to the Committee on Commerce and Transportation.

#### **Senate Concurrent Resolution 49**

Senate Concurrent Resolution 49, introduced by Senator Kenley:

A CONCURRENT RESOLUTION urging the Department of Transportation to designate U.S. 31 in Hamilton County between I-465 and the Hamilton/Tipton County line as the Reggie Miller Highway.

*Whereas, In 1987, upon graduation from UCLA, Reggie Miller learned he would continue his very successful basketball career in the Hoosier state when the Indiana Pacers drafted Miller as the 11<sup>th</sup> pick in the first round of the NBA Draft;*

*Whereas, Miller has achieved numerous NBA records throughout his career. He holds 14<sup>th</sup> place on the NBA all-time career scoring list and played a total of 1,323 games, earning him 7<sup>th</sup> place on the NBA's all-time list. Miller is the all-time NBA leader in 3-point field goals, scoring over one hundred per season for 15 consecutive seasons. Also, Miller, who played all 18 seasons of his career with the Pacers, has played more games with the same team than all but two players in NBA history—John Stockton and Karl Malone;*

*Whereas, Miller was a five-time NBA All-Star, a member of the gold medal-winning 1996 Olympic Basketball Team, and represented the United States in the 2002 World Basketball Championship in Indianapolis. He was also the first Pacers player to start in an NBA All-Star game;*

*Whereas, Taking a great interest in charitable work, Miller serves on the Board of Directors of the Dale Davis Foundation, which benefits at-risk and economically disadvantaged youth populations. In order to assist victims of fire, he started the Reggie Miller Foundation. In addition, Miller contributes to Riley Hospital for Children and makes frequent, unscheduled visits to provide encouragement to the kids and their families. Also, in 2001, Miller pledged to donate \$1,000 to the American Red Cross for each 3-point field goal he made during the season—resulting in a donation that totaled over \$200,000. In 2004, the Professional Basketball Writers Association honored Miller's citizenship and community service with the J. Walter Kennedy Citizenship Award; and*

*Whereas, In recognition of Reggie Miller's contributions and success throughout his basketball career, Miller was inducted into UCLA's Hall of Fame in 1998 and the Indiana Pacers will retire Miller's number "31" jersey in a halftime ceremony this spring: Therefore,*

*Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly recognizes Reggie Miller for his successful basketball career and for his numerous contributions to the State of Indiana. He has created great memories for many Hoosiers and continues to be a role model for

younger generations.

SECTION 2. That the Indiana General Assembly urges the Department of Transportation to designate the portion of U.S. 31 in Hamilton County, between I-465 and the Hamilton/Tipton County line as the Reggie Miller Highway.

SECTION 3. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Commissioner of the Indiana Department of Transportation.

The resolution was read in full and referred to the Committee on Commerce and Transportation.

#### **Senate Concurrent Resolution 50**

Senate Concurrent Resolution 50, introduced by Senator Miller:

A CONCURRENT RESOLUTION urging the Legislative Council to direct the Health Finance Commission to study hospital community benefits plans described in IC 16-21-9.

*Whereas, The Clarian Health Partners Community Benefit Taskforce was chartered in April of 2005 by Dan Evans, Chief Executive Officer, to ensure that Clarian's community benefit plan, measurement and reports follow best practices and set a standard for all other Indiana healthcare providers to emulate; and*

*Whereas, As a result of the taskforce, it became clear that overall statewide changes in community benefit plan reporting may be necessary: Therefore,*

*Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:*

SECTION 1. That the Legislative Council is urged to direct the Health Finance Commission, established under IC 2-5-23-3 to review issues pertaining to hospital community benefit plans described in IC 16-21-9 including:

- (a) The current makeup of a community benefit plan;
- (b) The current reporting requirements and whether any changes to the reporting requirements are necessary; and
- (c) Anything else that the commission determines necessary.

SECTION 2. That the Health Finance Commission, if so charged, shall operate under the direction of the Legislative Council and shall issue a final report when directed to do so by the council.

SECTION 3. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Legislative Council.

The resolution was read in full and referred to the Committee on Rules and Legislative Procedure.

#### **Senate Resolution 27**

Senate Resolution 27, introduced by Senator Harrison:

A SENATE RESOLUTION urging the Legislative Council to direct the Pension Management Oversight Commission to study funding sources for pension relief for municipalities.

*Be it resolved by the Senate of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana State Senate urges the Legislative Council to direct the Pension Management Oversight Commission to study funding sources for pension relief for municipalities.

SECTION 2. That the Pension Management Oversight Commission, if directed to take such action, shall operate under the direction of the Legislative Council and shall issue a report when directed to do so by the Council.

SECTION 3. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Legislative Council.

The resolution was read in full and referred to the Committee on Rules and Legislative Procedure.

#### **Senate Resolution 28**

Senate Resolution 28, introduced by Senator Harrison:

A SENATE RESOLUTION urging the Legislative Council to direct the Pension Management Oversight Commission to review issues regarding matching funds for municipalities in the 1977 Police Officers' and Firefighters' Pension and Disability Fund as set out in HB 1313.

*Be it resolved by the Senate of the  
General Assembly of the State of Indiana:*

SECTION 1. That the Legislative Council is urged to direct the Pension Management Oversight Commission to study to review issues addressed in HB 1313 regarding the 1977 Police Officers' and Firefighters' Pension and Disability Fund.

SECTION 2. That the Pension Management Oversight Commission, if so directed, shall operate under the direction of the Legislative Council and shall issue a final report when directed to do so by the council.

SECTION 3. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the members of the Legislative Council.

The resolution was read in full and referred to the Committee on Rules and Legislative Procedure.

#### **Senate Resolution 29**

Senate Resolution 29, introduced by Senator Lewis:

A SENATE RESOLUTION concerning the Public Employees Retirement Fund

*Whereas, The Public Employees Retirement Fund Board of Trustees has met its fiscal obligations over the years to maintain the Fund in a sound financial condition; and*

*Whereas, One of the factors utilized by actuaries in providing funding increases to retirees is the anticipation of an annual two percent (2%) cost-of-living increase; and*

*Whereas, The Public Employees Retirement Fund Board of Trustees has elected to discontinue this factor in projecting its*

*financial needs for the Fund which can have a negative impact on granting future cost-of-living increases by the Indiana General Assembly: Therefore,*

*Be it resolved by the Senate of the  
General Assembly of the State of Indiana:*

SECTION 1. That the Senate does encourage the Public Employees Retirement Fund Board of Trustees to anticipate future cost-of-living increases and provide for these increases in future projections.

SECTION 2. That a copy of this Resolution by transmitted to the Public Employees Retirement Fund Board of Trustees.

The resolution was read in full and referred to the Committee on Rules and Legislative Procedure.

### **REPORTS FROM COMMITTEES**

#### **COMMITTEE REPORT**

Madam President: The Senate Energy and Environmental Affairs Committee, to which was referred House Concurrent Resolution 35, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.

Committee Vote: Yeas 6, Nays 0.

GARD, Chair

Report adopted.

#### **COMMITTEE REPORT**

Madam President: The Senate Commerce and Transportation Committee, to which was referred House Concurrent Resolution 25, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.

Committee Vote: Yeas 8, Nays 0.

LANDSKE, Chair

Report adopted.

#### **COMMITTEE REPORT**

Madam President: The Senate Commerce and Transportation Committee, to which was referred Senate Concurrent Resolution 39, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.

Committee Vote: Yeas 7, Nays 0.

LANDSKE, Chair

Report adopted.

### **REPORT OF THE PRESIDENT PRO TEMPORE**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the

March 7, 2006

Senate 733

Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 260:

Conferees: Kenley, Chair and Simpson

GARTON  
Date: 3/6/2006  
Time: 4:22 p.m.

Report adopted.

### **REPORT OF THE PRESIDENT PRO TEMPORE**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 349:

Conferees: Waltz, Chair and Mrvan

GARTON  
Date: 3/6/2006  
Time: 3:09 p.m.

Report adopted.

### **PRESIDENT PRO TEMPORE'S REPORT OF ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1008:

Conferees: Meeks and Howard

Advisors: Hershman, Wyss, Rogers, and Hume.

GARTON  
Date: 3/6/2006  
Time: 5:15 p.m.

Report adopted.

### **REPORT OF THE PRESIDENT PRO TEMPORE**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 253:

Conferees: Weatherwax, Chair and Lewis

GARTON  
Date: 3/6/2006  
Time: 4:54 p.m.

Report adopted.

### **REPORT OF THE PRESIDENT PRO TEMPORE**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 112:

Conferees: Riegsecker, Chair and Rogers

GARTON  
Date: 3/6/2006  
Time: 5:07 p.m.

Report adopted.

### **REPORT OF THE PRESIDENT PRO TEMPORE**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 259:

Conferees: Kenley, Chair and Hume

GARTON  
Date: 3/6/2006  
Time: 5:24 p.m.

Report adopted.

### **PRESIDENT PRO TEMPORE'S REPORT OF ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1001:

Conferees: Kenley and Hume

Advisors: Dillon and Mrvan

GARTON  
Date: 3/7/2006  
Time: 9:45 a.m.

Report adopted.

### **PRESIDENT PRO TEMPORE'S REPORT OF ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1010:

Conferees: Bray, Chair and Sipes

Advisors: Drozda, Long, Lewis, and Lanane

GARTON  
Date: 3/7/2006  
Time: 9:46 a.m.

Report adopted.

### **PRESIDENT PRO TEMPORE'S REPORT OF ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the

following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1029:  
Conferees: Kenley and Simpson  
Advisors: Meeks and Skinner

GARTON  
Date: 3/7/2006  
Time: 9:48 a.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT  
OF  
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1018:  
Conferees: Hershman and R. Young

GARTON  
Date: 3/7/2006  
Time: 9:50 a.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT  
OF  
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1025:  
Conferees: Drozda and Simpson  
Advisors: Altling and Skinner

GARTON  
Date: 3/7/2006  
Time: 9:53 a.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT  
OF  
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1099:  
Conferees: Weatherwax and Lewis

GARTON  
Date: 3/7/2006  
Time: 9:56 a.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT  
OF  
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1114:  
Conferees: Steele and Broden

GARTON  
Date: 3/7/2006  
Time: 10:01 a.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT  
OF  
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1353:  
Conferees: Bray and Broden

GARTON  
Date: 3/7/2006  
Time: 10:03 a.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT  
OF  
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1016:  
Conferees: Bray and Broden  
Advisors: Long and Lanane

GARTON  
Date: 3/7/2006  
Time: 12:03 p.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT  
OF  
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1056:  
Conferees: Merritt and Lewis

GARTON  
Date: 3/7/2006  
Time: 11:29 a.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT  
OF  
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1110:

Conferees: Gard and Tallian

GARTON  
Date: 3/7/2006  
Time: 11:30 a.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT  
OF  
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1117:

Conferees: Gard and Hume

GARTON  
Date: 3/7/2006  
Time: 11:32 a.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT  
OF  
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1323:

Conferees: Kruse and Mrvan

GARTON  
Date: 3/7/2006  
Time: 11:36 a.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT  
OF  
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1362:

Conferees: Riegsecker and Broden

Advisors: Delph, Long, Breaux, and Lanane

GARTON  
Date: 3/7/2006  
Time: 11:33 a.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT  
OF  
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1123:

Conferees: Becker and Simpson

Advisors: Lawson and Craycraft

GARTON  
Date: 3/7/2006  
Time: 12:01 p.m.

Report adopted.

**REPORT OF THE  
PRESIDENT PRO TEMPORE**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 303:

Conferees: Kruse and Lutz

GARTON  
Date: 3/7/2006  
Time: 11:59 a.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT  
OF  
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1327:

Conferees: Kenley and Simpson

GARTON  
Date: 3/7/2006  
Time: 1:29 p.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT  
OF  
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1214:

Conferees: Long and Lanane

GARTON  
Date: 3/7/2006  
Time: 12:27 p.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT  
OF  
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1176:

Conferees: Nugent and Lanane

Advisors: Waterman and Lutz

GARTON

Date: 3/7/2006

Time: 12:26 p.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT  
OF  
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1158:

Conferees: Bray and Lanane

GARTON

Date: 3/7/2006

Time: 12:24 p.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT  
OF  
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1155:

Conferees: Long and Simpson

Advisors: Becker, Zakas, Lanane, and Broden

GARTON

Date: 3/7/2006

Time: 12:23 p.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT  
OF  
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1315:

Conferees: Landske and Sipes

GARTON

Date: 3/7/2006

Time: 12:35 p.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT  
OF  
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1259:

Conferees: Steele and Hume

GARTON

Date: 3/7/2006

Time: 12:33 p.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT  
OF  
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1240:

Conferees: Lubbers and Rogers

Advisors: Riegsecker and Skinner

GARTON

Date: 3/7/2006

Time: 12:32 p.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT  
OF  
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1235:

Conferees: Miller and Breaux

Advisors: Wyss and Sipes

GARTON

Date: 3/7/2006

Time: 12:30 p.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT  
OF  
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1227:

Conferees: Nugent and Sipes

Advisors: Becker and Lutz

GARTON

Date: 3/7/2006

Time: 12:33 p.m.

Report adopted.



# **PRESIDENT PRO TEMPORE'S REPORT OF ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1172:

Conferees: Drozda and Craycraft

Advisors: Miller, Delph, Rogers, and Mrvan

GARTON

Date: 3/7/2006

Time: 12:29 p.m.

Report adopted.

Senator Garton yielded the gavel to Senator Long.

## **RESOLUTIONS ON FIRST READING**

### **Senate Concurrent Resolution 51**

Senate Concurrent Resolution 51, introduced by Senator Merritt:

A CONCURRENT RESOLUTION to congratulate Bruce Melchert upon his retirement.

*Whereas, After graduating from the University of Missouri-Columbia in 1961, Bruce Melchert attended law school at the Columbia and Kansas City campuses of the University of Missouri and at Indiana University-Indianapolis;*

*Whereas, Mr. Melchert served for fourteen years as the Executive Vice President of the Tau Kappa Epsilon International Fraternity. He began his career in government by serving as the Administrative Assistant to United States Congressman William H. Hudnut;*

*Whereas, After his appointment as the Deputy Mayor of Indianapolis, Mr. Melchert served as Chairman of the Marion County Liquor Board and the Indiana Republican State Central Committee Chairman;*

*Whereas, Mr. Melchert enlisted in the United States Army for a total of eight years, serving in both active duty and reserve status. At the time of his honorable discharge, he had earned a promotion to First Lieutenant;*

*Whereas, Placing a premium on involvement in his community, Mr. Melchert sits on the Board of Directors of many organizations: American Heart Association, Indianapolis Affiliate; City Market; Columbia Club; HealthNet Foundation; Indiana Political Education; Indianapolis Holidays Committee, Inc.; Junior Achievement of Central Indiana; Near North Development Corporation; TKE Educational Foundation; and the Tri-County Mental Health Foundation;*

*Whereas, For his dedication and hard work, Mr. Melchert has*

*received numerous awards and honors, including a Sagamore of the Wabash from Governor Bowen and Governor Orr, the President's Award presented by HealthNet, and an award in 2002 from the Indiana Public Health Foundation; and*

*Whereas, Since 1986, Mr. Melchert has been the Vice President of Government Affairs for Clarian Health Partners, Inc.—formerly Methodist Hospital of Indiana, Inc. After a distinguished career, he is retiring this year: Therefore,*

*Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly hereby recognizes the outstanding career and the many community contributions of Bruce Melchert and honors him upon his retirement.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Bruce and Jeanne Melchert.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Bosma.

### **SENATE MOTION**

Madam President: I move that Senators Alting, Becker, Bowser, Bray, Breaux, Broden, Craycraft, Delph, Dillon, Drozda, Ford, Gard, Garton, Harrison, Heinold, Hershman, Howard, Hume, Jackman, Kenley, Kruse, Lanane, Landske, Lawson, Lewis, Long, Lubbers, Lutz, Meeks, Miller, Mishler, Mrvan, Nugent, Paul, Riegsecker, Rogers, Simpson, Sipes, Skinner, Smith, Steele, Tallian, Waltz, Waterman, Weatherwax, Wyss, M. Young, R. Young, and Zakas be added as coauthors of Senate Concurrent Resolution 51.

MERRITT

Motion prevailed.

### **SENATE MOTION**

Madam President: I move that the Motion to Concur on Engrossed Senate Bill 54, filed March 1, 2006, be withdrawn from further consideration by the Senate.

NUGENT

Motion prevailed.

## **MOTIONS TO DISSENT FROM HOUSE AMENDMENTS**

### **SENATE MOTION**

Madam President: I move that the Senate do not concur with the House Amendments to Engrossed Senate Bill 148 and that a conference committee be appointed to confer with a like committee of the House.

RIEGSECKER

Motion prevailed.

## SENATE MOTION

Madam President: I move that the Senate do not concur with the House Amendments to Engrossed Senate Bill 139 and that a conference committee be appointed to confer with a like committee of the House.

LAWSON

Motion prevailed.

**RESOLUTIONS ON FIRST READING****Senate Resolution 15**

Senate Resolution 15, introduced by Senator Garton:

A SENATE RESOLUTION to memorialize and honor C. Wendell Martin.

*Whereas, C. Wendell Martin was born in Rochester, Minnesota, on April 9, 1917. He grew up in northwest Indiana and graduated from high school in Lebanon. In 1939, he graduated from DePauw University as a Rector Scholar and went on to earn a J.D. degree from Columbia University School of Law in New York;*

*Whereas, Wendell Martin served four years in Europe during World War II, becoming a Captain in the Parachute Infantry. He was later a company commander in the Indiana National Guard from 1950 to 1953;*

*Whereas, Mr. Martin was a lawyer in general practice for over fifty years, specializing in litigation. He was a Deputy Prosecutor in Marion County, earning the distinction of Chief Trial Deputy from 1947 to 1952. Mr. Martin served as General Counsel and Vice-President of Indiana Farmers Mutual Insurance Company for many years. He retired from the firm of Martin, Wade, Hartley, and Hollingsworth;*

*Whereas, In addition to being President of the Indianapolis Bar Association, he served as President of the downtown Kiwanis Club, the Indianapolis Lawyers Club, Meridian Hills Country Club, the Central Indiana DePauw Alumni Association, and the Rector Scholar Alumni Association at DePauw;*

*Whereas, Maintaining involvement in his community, Mr. Martin also served as a director on many boards: the Advisory Committee of Marion County, the Indianapolis Senior Citizens Center, the National DePauw Alumni Association, and the Contemporary Club. He served as District Secretary for Beta Theta Pi, his college fraternity. In 1959, Governor Harold Handley named Mr. Martin a Sagamore of the Wabash;*

*Whereas, Mr. Martin was also very involved in his church, community. At Second Presbyterian Church, he served as a ruling elder, a deacon, a Sunday School teacher, and in the stewardship campaign. He also served as director on the boards of the Church Federation of Greater Indianapolis and the Englishton Presbyterian Center;*

*Whereas, Wendell Martin was elected to the Indiana Senate in 1962 and served for twelve years. During his tenure, Mr. Martin was instrumental in the passage of the bill that sold the Second Presbyterian Church downtown to the State and cleared the way for the completion of the World War I Memorial. He served as President Pro Tempore and Republican Majority Leader from 1959-1960; and*

*Whereas, Mr. Martin passed away on December 14, 2005 in Bryan, Ohio. He is survived by his wife of 58 years, Elizabeth (Libby) Meeker Martin; three children, Professor David A. Martin, Connie (Mrs. Stanley G.) Tipton, and Dr. Frederic M. Martin; nine grandchildren; and one great-grandson: Therefore,*

*Be it resolved by the Senate of the  
General Assembly of the State of Indiana:*

SECTION 1. That the Indiana Senate memorializes and honors C. Wendell Martin for his lifetime achievements. He made substantial contributions to his community that will not soon be forgotten.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to his wife, Elizabeth Meeker Martin, and his three children, Professor David A. Martin, Mrs. Stanley G. Tipton, and Dr. Frederic M. Martin.

The resolution was read in full and adopted by standing vote.

**Senate Resolution 33**

Senate Resolution 33, introduced by Senators Bowser, Breaux, Broden, Craycraft, Howard, Hume, Lanane, Lewis, Lutz, Mrvan, Rogers, Simpson, Sipes, Skinner, Smith, and Tallian:

A SENATE RESOLUTION to honor Senator Rose Ann Antich-Carr for her 15 years of distinguished service to the Indiana General Assembly and to congratulate her on her retirement from the Indiana State Senate.

*Whereas, Senator Rose Ann Antich-Carr, elected to the Indiana Senate in 1990, retired from the General Assembly after serving 15 years in the Indiana State Senate upon her appointment to the position of Clerk-Treasurer, Town of Merrillville;*

*Whereas, Senator Antich-Carr has been a champion for the people of Northwest Indiana and honestly and faithfully served her constituency in Senate District 4 throughout her tenure in the Senate;*

*Whereas, Senator Antich-Carr worked to implement notable programs including the Amber Alert System to safeguard children, increase safety requirements for toll roads, prevent identity theft and protect consumers from high utility costs and was a leading advocate of property tax relief;*

*Whereas, Senator Antich-Carr served on numerous Senate standing committees and interim committees, covering a wide range of topics. She served as the ranking minority member on the Senate's Energy & Environmental Affairs Committee and also served on the Commerce & Transportation; Insurance & Financial Institutions; and Pensions & Labor standing committees upon her retirement;*

*Whereas, Prior to her service in the Indiana State Senate, Senator Antich-Carr served her community as a member of the Merrillville Town Council and on various philanthropic boards and committees;*

*Whereas, Senator Antich-Carr prior to her legislative service enjoyed a successful career as a radio and television personality and as a professional public speaker;*

*Whereas, Senator Antich-Carr is a committed wife to John, her husband, a devoted mother to her son, Mark, and a loving grandmother to her grandchildren, Nicholas and Kasie ; and*

*Whereas, Most of all, Senator Antich-Carr, with her dedicated, feisty and outspoken manner, will be sorely missed by this body: Therefore,*

*Be it resolved by the Senate of the  
General Assembly of the State of Indiana:*

SECTION 1. That on behalf of the people of the State of Indiana we hereby extend our sincere respect, appreciation and affection to Senator Rose Ann Antich-Carr for her dedicated and distinguished service to the citizens of Indiana, the Indiana State Senate and the Indiana General Assembly.

SECTION 2. That the Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Senator Rose Ann Antich-Carr and her husband, John, and to her son, and grandchildren.

The resolution was read in full and adopted by voice vote.

Senator Long yielded the gavel to the President of the Senate.

### **Senate Resolution 30**

Senate Resolution 30, introduced by Senators Garton and R. Young:

A SENATE RESOLUTION to honor Senator Joseph Harrison for his many years of dedicated service to the citizens of Indiana and to congratulate him upon his retirement.

*Whereas, After graduating from Attica High School in 1949, Senator Joseph Harrison attended Purdue University. Senator Harrison left Purdue in 1952 to attend the United States Naval Academy, where he earned a Bachelor of Science degree and graduated in the top ten percent of his class in 1956. After graduating from the United States Naval Intelligence Postgraduate school in 1957, Senator Harrison served on active duty with the Office of Naval Intelligence in Washington until returning to civilian life in 1960;*

*Whereas, Senator Harrison was first elected to the Senate in 1966. For four decades, he has represented District 23, which has included the following counties: Benton, Boone, Clinton, Fountain, Hendricks, Montgomery, Parke, Tippecanoe, Vermillion, and Warren counties;*

*Whereas, Serving in many leadership positions within the Senate, Senator Harrison has set an example for other legislators. Presently*

*Senator Harrison holds the position of Floor Leader Emeritus and has served as Chairman of the Senate Pensions and Labor Committee since 1979. During his years at the Senate, Senator Harrison has also served as Chairman of the Senate Finance Committee from 1975-1976 and as Senate Majority Floor Leader from 1979-2004, which is the longest tenure for any Senate Majority Floor Leader in state history;*

*Whereas, During his tenure, Senator Harrison authored corporate takeover legislation that has become the model for the nation and co-authored Indiana's first products liability defense statute that made Indiana the first industrial state to enact such legislation. He also authored the landmark Tort Reform legislation in 1995 and has authored or sponsored every major piece of legislation in the area of worker's compensation, unemployment compensation, workplace safety, and worker freedoms in the last thirty-four years;*

*Whereas, Outside the legislature, Senator Harrison was vice president of his family's business, Harrison Steel and Castings. He and his wife Ann reside in Attica and have six children and twelve grandchildren;*

*Whereas, Senator Harrison has received the following awards for his service to his community: Indiana Park & Recreation Association's Outstanding Legislative Award in 2004, Professional Firefighters Outstanding Service Award in 1995, Indiana Chamber of Commerce's Government Leader of the Year in 1991, the National Republican Legislators Association's National Republican Legislator of the Year in 1989, Sagamore of the Wabash, and Kentucky Colonel;*

*Whereas, In 2001, the Indiana Manufacturers Association created a lifetime achievement award in Harrison's honor and named him as the first recipient. The only recipient to date, he received the Senator Joseph W. Harrison Legislative Service Award in 2001 for his dedication to his constituents and the business communities across Indiana; and*

*Whereas, After four decades of service to District 23 and the State of Indiana, Senator Harrison announced that he would not seek re-election in 2006. Senator Harrison is retiring after serving longer than any member in the history of the Indiana State Senate: Therefore,*

*Be it resolved by the Senate of the  
General Assembly of the State of Indiana:*

SECTION 1. That the Indiana Senate honors and congratulates Senator Harrison for his dedicated service in the Indiana Senate representing District 23 since 1966.

SECTION 2. That the members of the Indiana Senate are proud to have served with Senator Harrison during his long and distinguished career.

SECTION 3. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Senator Joseph Harrison and his wife, Ann, and each of their six children.

The resolution was read in full and adopted by voice vote.

## SENATE MOTION

Madam President: I move that Senators Alting, Becker, Bowser, Bray, Breaux, Broden, Craycraft, Delph, Dillon, Drozda, Ford, Gard, Heinold, Hershman, Howard, Hume, Jackman, Kenley, Kruse, Lanane, Landske, Lawson, Lewis, Long, Lubbers, Lutz, Meeks, Merritt, Miller, Mishler, Mrvan, Nugent, Paul, Riegsecker, Rogers, Simpson, Sipes, Skinner, Smith, Steele, Tallian, Waltz, Waterman, Weatherwax, Wyss, M. Young, and Zakas be added as coauthors of Senate Resolution 30.

GARTON

Motion prevailed.

**Senate Resolution 31**

Senate Resolution 31, introduced by Senators Lewis, R. Young, Bowser, Breaux, Broden, Howard, Hume, Lanane, Lutz, Mrvan, Rogers, Simpson, Sipes, Skinner, Smith, and Tallian:

A SENATE RESOLUTION to honor Senator Allie V. Craycraft for his 28 years of distinguished service to the Indiana General Assembly and to congratulate him on his retirement from the Indiana State Senate.

*Whereas, Senator Allie V. Craycraft, elected to the Indiana Senate in 1978, is retiring from the General Assembly upon completion of his current term of office after serving 28 years in the Indiana State Senate;*

*Whereas, Senator Craycraft has been a champion for the people of East Central Indiana and has honestly and faithfully served his constituency in Senate District 26 throughout his tenure in the Senate;*

*Whereas, Senator Craycraft has been a tireless advocate for improving the state's educational system, creating a more accessible and affordable health care system and ensuring that every Hoosier has the skills necessary to compete in the global marketplace;*

*Whereas, Senator Craycraft has served on numerous Senate standing committees and interim committees, covering a wide range of topics. In addition to his various past leadership roles within the Senate Democrat caucus, Senator Craycraft is currently the Assistant Minority Caucus Chair;*

*Whereas, Prior to his service in the Indiana Senate, Senator Craycraft served his community as the Liberty Township Trustee (Delaware County), Delaware County Welfare Board member, Precinct Committeeman and on various philanthropic boards and committees;*

*Whereas, Outside the Senate, Senator Craycraft has been a leader and has held a position of high trust and responsibility in his church, Foursquare Gospel Church. He is currently serving as the assistant pastor;*

*Whereas, Senator Craycraft is a Korean War veteran having served with the US Air Force, 1952-1956; and retired from the*

*General Motors' Muncie Chevrolet plant after 37 years of dedicated service;*

*Whereas, Senator Craycraft is a committed husband to Juanita, his wife of 50 years, a devoted father to their seven children, Cheryl, Lucinda, Steven, Jeffrey, Carol, Gerald and Annette, and a loving grandfather to their eleven grandchildren and one great-grandchild; and*

*Whereas, Most of all, Senator Craycraft, with his charm and easy going manner, is beloved, admired and respected by everyone in the Senate, and his retirement from this body will be felt by all for many years to come: Therefore,*

*Be it resolved by the Senate of the General Assembly of the State of Indiana:*

SECTION 1. That on behalf of the people of the State of Indiana we hereby extend our sincere respect, appreciation and affection to Senator Allie V. Craycraft for his dedicated and distinguished service to the citizens of Indiana, the Indiana State Senate and the Indiana General Assembly.

SECTION 2. That the Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Senator Allie V. Craycraft and his wife, Juanita, and to his children, grandchildren and great-grandchild.

The resolution was read in full and adopted by voice vote.

## SENATE MOTION

Madam President: I move that Senators Alting, Becker, Bray, Delph, Dillon, Drozda, Ford, Gard, Garton, Harrison, Heinold, Hershman, Jackman, Kenley, Kruse, Landske, Lawson, Long, Lubbers, Meeks, Merritt, Miller, Mishler, Nugent, Paul, Riegsecker, Steele, Waltz, Waterman, Weatherwax, Wyss, M. Young, and Zakas be added as coauthors of Senate Resolution 31.

LEWIS

Motion prevailed.

**Senate Resolution 32**

Senate Resolution 32, introduced by Senators R. Young, Bowser, Breaux, Broden, Craycraft, Howard, Hume, Lanane, Lewis, Mrvan, Rogers, Simpson, Sipes, Skinner, Smith, and Tallian:

A SENATE RESOLUTION to honor Senator Larry E. Lutz for his 24 years of distinguished service to the Indiana General Assembly and to congratulate him on his retirement from the Indiana State Senate.

*Whereas, Senator Larry E. Lutz, was first elected to the Indiana House of Representatives in 1982 and in 1999 was appointed to fill the unexpired term of Senator Joseph O'Day, is retiring from the Indiana State Senate upon completion of his current term of office after serving 24 years in the Indiana General Assembly;*

*Whereas, Senator Lutz has been a champion for the people of Southwestern Indiana and has honestly and faithfully served his*

*constituency in Senate District 49 and House District 76 throughout his tenure in the Indiana General Assembly;*

*Whereas, Senator Lutz has fought to ensure that the state's election procedures remain fair and above partisanship. He has earned the reputation as an outspoken advocate for working families and children, and a strong advocate for the rights and interests of public safety officers;*

*Whereas, Senator Lutz has served on numerous legislative standing committees and interim committees, covering a wide range of topics. He currently serves as the ranking minority member of the Senate's Elections & Civic Affairs Committee and also serves on the Pensions & Labor; Governmental Affairs & Interstate Cooperation and Homeland Security standing committees;*

*Whereas, Prior to his service in the Indiana Senate, Senator Lutz served his community in such public service roles, as State Representative District 76 for 16 years and as the Perry Township Assessor (Vanderburgh County);*

*Whereas, Senator Lutz is a US Army veteran; and a retired firefighter with the City of Evansville Fire Department after 23 years of dedicated service, serving as a district fire chief;*

*Whereas, Senator Lutz is a committed husband to Mary, his wife of 44 years, a devoted father to their son, Chris, and a loving grandfather to their grandson, Jonathan; and*

*Whereas, Senator Lutz, with his quiet and easy going demeanor, is admired and respected by everyone in the Indiana General Assembly, and his retirement will be felt by all for many years to come: Therefore,*

*Be it resolved by the Senate of the  
General Assembly of the State of Indiana:*

SECTION 1. That on behalf of the people of the State of Indiana we hereby extend our sincere respect, appreciation and affection to Senator Larry E. Lutz for his dedicated and distinguished service to the citizens of Indiana, the Indiana State Senate and the Indiana General Assembly.

SECTION 2. That the Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Senator Larry E. Lutz and his wife, Mary, and to his son and grandson.

The resolution was read in full and adopted by voice vote.

#### SENATE MOTION

Madam President: I move that Senators Alting, Becker, Bray, Delph, Dillon, Drozda, Ford, Gard, Garton, Harrison, Heinold, Hershman, Jackman, Kenley, Kruse, Landske, Lawson, Long, Lubbers, Meeks, Merritt, Miller, Mishler, Nugent, Paul, Riegsecker, Steele, Waltz, Waterman, Weatherwax, Wyss, M. Young, and Zakas be added as coauthors of Senate Resolution 32.

R. YOUNG

Motion prevailed.

## JOINT RULE 20 COMMITTEE REPORTS

### COMMITTEE REPORT

Madam President: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedure, to which was referred Engrossed Senate Bill 58 because it conflicts with House Enrolled Act 1134-2006 without properly recognizing the existence of HEA 1134-2006, has had ESB 58 under consideration and begs leave to report back to the Senate with the recommendation that ESB 58 be corrected as follows:

Page 2, delete lines 35 through 42, begin a new paragraph and insert:

"SECTION 3. IC 5-10.4-4-8, AS ADDED BY HEA 1134, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 8. (a) This subsection applies to a member who retires before July 1, 1980. A member who had completed four (4) years of approved college teacher education before voluntary or involuntary induction into the military services is entitled to credit for that service as if the member had begun teaching before the induction. A member who serves in military service is considered a teacher and is entitled to the benefits of the fund if before or during the leave of absence the member pays into the fund the member's contributions. Time served by a member in military service for the duration of the hostilities or for the length of active service in the hostilities and the necessary demobilization time after the hostilities is not subject to the one-seventh rule set forth in section 7 of this chapter.

(b) This subsection applies to a member who retires after June 30, 1980. A member who completed four (4) years of approved college teacher education before voluntary or involuntary induction into military service is entitled to credit for the member's active military service as if the member had begun teaching before the induction. A member who serves in military service is considered a teacher and is entitled to the benefits of the fund if the following conditions are met:

- (1) The member has an honorable discharge.
- (2) Except as provided in subsection (e), the member returns to active teaching service not later than eighteen (18) months after the completion of active military service.
- (3) The member has at least ten (10) years of in-state service credit.

The time served by a member in military service for the duration of the hostilities or for the length of active service in the hostilities and the necessary demobilization time after the hostilities is not subject to the one-seventh rule set forth in section 7 of this chapter. However, not more than six (6) years of military service credit may be granted under this subsection.

(c) This subsection applies to a member who retires after May 1, 1989. A member who had begun but had not completed four (4) years of approved college teacher education before voluntary or involuntary induction into the military services is entitled to service credit in an amount equal to the duration of the member's active military service if the following conditions are met:

- (1) The member has an honorable discharge.
- (2) Except as provided in subsection (e), the member returns to a four (4) year approved college teacher training program not later than eighteen (18) months after the completion of active military service and subsequently completes that program.

(3) The member has at least ten (10) years of in-state service credit.

The time served by a member in active military service for the length of active service in the hostilities and the necessary demobilization is not subject to the one-seventh rule set forth in section 7 of this chapter. However, not more than six (6) years of military service credit may be granted under this subsection.

(d) This subsection applies to a member who retires after May 1, 1991, and who is employed at a state institution of higher education. A member who had begun but had not completed baccalaureate or post-baccalaureate education before voluntary or involuntary induction into military service is entitled to the member's active military service credit for the member's active military service in an amount equal to the duration of the member's military service if the following conditions are met:

(1) The member received an honorable discharge.

(2) Except as provided in subsection (e), the member returns to baccalaureate or post-baccalaureate education not later than eighteen (18) months after completion of active military service and subsequently completes that education.

(3) The member has at least ten (10) years of in-state service credit.

The time served by a member in active military service for the length of active service in the hostilities and the necessary demobilization is not subject to the one-seventh rule set forth in section 7 of this chapter. However, not more than six (6) years of military service credit may be granted under this subsection.

(e) The board shall extend the eighteen (18) month deadline contained in subsection (b)(2), (c)(2), or (d)(2) if the board determines that an illness, an injury, or a disability related to the member's military service prevented the member from returning to active teaching service or to a teacher education program not later than eighteen (18) months after the member's discharge from military service. However, the board may not extend the deadline beyond thirty (30) months after the member's discharge.

(f) If a member retires and the board subsequently determines that the member is entitled to additional service credit due to the extension of a deadline under subsection (e), the board shall recompute the member's benefit. However, the additional service credit may be used only in the computation of benefits to be paid after the date of the board's determination, and the member is not entitled to a recomputation of benefits received before the date of the board's determination.

(g) Notwithstanding any provision of this section, a member is entitled to military service credit and benefits in the amount and to the extent required by the federal Uniformed Services Employment and Reemployment Rights Act (38 U.S.C. 4301 et seq.), including all later amendments.

(h) Subject to this section, an active member may purchase not more than two (2) years of service credit for the member's service on active duty in the armed services if the member meets the following conditions:

(1) The member has at least one (1) year of credited service in the fund.

(2) The member serves on active duty in the armed services of the United States for at least six (6) months.

(3) The member receives an honorable discharge from the

armed services.

(4) Before the member retires, the member makes contributions to the fund as follows:

(A) Contributions that are equal to the product of:

(i) the member's salary at the time the member actually makes a contribution for the service credit;

(ii) a rate, determined by the actuary of the fund, that is based on the age of the member at the time the member actually makes a contribution for service credit and computed to result in a contribution amount that approximates the actuarial present value of the benefit attributable to the service credit purchased; and

(iii) the number of years of service credit the member intends to purchase.

(B) Contributions for any accrued interest, at a rate determined by the actuary of the fund, for the period from the member's initial membership in the fund to the date payment is made by the member.

However, a member is entitled to purchase service credit under this subsection only to the extent that service credit is not granted for that time under another provision of this section. At least ten (10) years of service in Indiana is required before a member may receive a benefit based on service credits purchased under this section. A member who terminates employment before satisfying the eligibility requirements necessary to receive a monthly allowance or receives a monthly allowance for the same service from another tax supported public employee retirement plan other than under the federal Social Security Act may withdraw the purchase amount plus accumulated interest after submitting a properly completed application for a refund to the fund.

(i) The following apply to the purchase of service credit under subsection (h):

(1) The board may allow a member to make periodic payments of the contributions required for the purchase of the service credit. The board shall determine the length of the period during which the payments must be made.

(2) The board may deny an application for the purchase of service credit if the purchase would exceed the limitations under Section 415 of the Internal Revenue Code.

(3) A member may not claim the service credit for purposes of determining eligibility or computing benefits unless the member has made all payments required for the purchase of the service credit.

**(j) This subsection applies to a member who retires after June 30, 2006. A member may not receive credit under this section for service for which the member receives service credit under the terms of a military or another governmental retirement plan."**

Delete pages 3 through 6.

(Reference is to ESB 58 as printed February 17, 2006.)

GARTON, Chair  
R. YOUNG, R.M.M.  
HARRISON

Report adopted.

#### COMMITTEE REPORT

Madam President: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedure, to which was referred Engrossed

House Bill 1076 because it conflicts with House Enrolled Act 1134-2006 without properly recognizing the existence of HEA 1134-2006, has had EHB 1076 under consideration and begs leave to report back to the Senate with the recommendation that EHB 1076 be corrected as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 20-26-5-4, AS AMENDED BY HEA 1134-2006, SECTION 117, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 4. In carrying out the school purposes of a school corporation, the governing body acting on the school corporation's behalf has the following specific powers:

(1) In the name of the school corporation, to sue and be sued and to enter into contracts in matters permitted by applicable law.

(2) To take charge of, manage, and conduct the educational affairs of the school corporation and to establish, locate, and provide the necessary schools, school libraries, other libraries where permitted by law, other buildings, facilities, property, and equipment.

(3) To appropriate from the school corporation's general fund an amount, not to exceed the greater of three thousand dollars (\$3,000) per budget year or one dollar (\$1) per pupil, not to exceed twelve thousand five hundred dollars (\$12,500), based on the school corporation's previous year's ADM, to promote the best interests of the school corporation through:

(A) the purchase of meals, decorations, memorabilia, or awards;

(B) provision for expenses incurred in interviewing job applicants; or

(C) developing relations with other governmental units.

(4) To:

(A) Acquire, construct, erect, maintain, hold, and contract for construction, erection, or maintenance of real estate, real estate improvements, or an interest in real estate or real estate improvements, as the governing body considers necessary for school purposes, including buildings, parts of buildings, additions to buildings, rooms, gymnasiums, auditoriums, playgrounds, playing and athletic fields, facilities for physical training, buildings for administrative, office, warehouse, repair activities, or housing school owned buses, landscaping, walks, drives, parking areas, roadways, easements and facilities for power, sewer, water, roadway, access, storm and surface water, drinking water, gas, electricity, other utilities and similar purposes, by purchase, either outright for cash (or under conditional sales or purchase money contracts providing for a retention of a security interest by the seller until payment is made or by notes where the contract, security retention, or note is permitted by applicable law), by exchange, by gift, by devise, by eminent domain, by lease with or without option to purchase, or by lease under IC 20-47-2, IC 20-47-3, or IC 20-47-5.

(B) Repair, remodel, remove, or demolish, or to contract for the repair, remodeling, removal, or demolition of the real estate, real estate improvements, or interest in the real estate or real estate improvements, as the governing body considers

necessary for school purposes.

(C) Provide for ~~energy~~ conservation measures through utility ~~energy~~ efficiency programs or under a guaranteed ~~energy~~ savings contract as described in IC 36-1-12.5.

(5) To acquire personal property or an interest in personal property as the governing body considers necessary for school purposes, including buses, motor vehicles, equipment, apparatus, appliances, books, furniture, and supplies, either by cash purchase or under conditional sales or purchase money contracts providing for a security interest by the seller until payment is made or by notes where the contract, security, retention, or note is permitted by applicable law, by gift, by devise, by loan, or by lease with or without option to purchase and to repair, remodel, remove, relocate, and demolish the personal property. All purchases and contracts specified under the powers authorized under subdivision (4) and this subdivision are subject solely to applicable law relating to purchases and contracting by municipal corporations in general and to the supervisory control of state agencies as provided in section 6 of this chapter.

(6) To sell or exchange real or personal property or interest in real or personal property that, in the opinion of the governing body, is not necessary for school purposes, in accordance with IC 20-26-7, to demolish or otherwise dispose of the property if, in the opinion of the governing body, the property is not necessary for school purposes and is worthless, and to pay the expenses for the demolition or disposition.

(7) To lease any school property for a rental that the governing body considers reasonable or to permit the free use of school property for:

(A) civic or public purposes; or

(B) the operation of a school age child care program for children who are at least five (5) years of age and less than fifteen (15) years of age that operates before or after the school day, or both, and during periods when school is not in session;

if the property is not needed for school purposes. Under this subdivision, the governing body may enter into a long term lease with a nonprofit corporation, community service organization, or other governmental entity, if the corporation, organization, or other governmental entity will use the property to be leased for civic or public purposes or for a school age child care program. However, if payment for the property subject to a long term lease is made from money in the school corporation's debt service fund, all proceeds from the long term lease must be deposited in the school corporation's debt service fund so long as payment for the property has not been made. The governing body may, at the governing body's option, use the procedure specified in IC 36-1-11-10 in leasing property under this subdivision.

(8) To:

(A) Employ, contract for, and discharge superintendents, supervisors, principals, teachers, librarians, athletic coaches (whether or not they are otherwise employed by the school corporation and whether or not they are licensed under IC 20-28-5), business managers, superintendents of buildings and grounds, janitors, engineers, architects, physicians,

dentists, nurses, accountants, teacher aides performing noninstructional duties, educational and other professional consultants, data processing and computer service for school purposes, including the making of schedules, the keeping and analyzing of grades and other student data, the keeping and preparing of warrants, payroll, and similar data where approved by the state board of accounts as provided below, and other personnel or services as the governing body considers necessary for school purposes.

(B) Fix and pay the salaries and compensation of persons and services described in this subdivision.

(C) Classify persons or services described in this subdivision and to adopt schedules of salaries or compensation.

(D) Determine the number of the persons or the amount of the services employed or contracted for as provided in this subdivision.

(E) Determine the nature and extent of the duties of the persons described in this subdivision.

The compensation, terms of employment, and discharge of teachers are, however, subject to and governed by the laws relating to employment, contracting, compensation, and discharge of teachers. The compensation, terms of employment, and discharge of bus drivers ~~is~~ **are** subject to and governed by laws relating to employment, contracting, compensation, and discharge of bus drivers. The forms and procedures relating to the use of computer and data processing equipment in handling the financial affairs of the school corporation must be submitted to the state board of accounts for approval so that the services are used by the school corporation when the governing body determines that it is in the best interest of the school corporation while at the same time providing reasonable accountability for the funds expended.

(9) Notwithstanding the appropriation limitation in subdivision (3), when the governing body by resolution considers a trip by an employee of the school corporation or by a member of the governing body to be in the interest of the school corporation, including attending meetings, conferences, or examining equipment, buildings, and installation in other areas, to permit the employee to be absent in connection with the trip without any loss in pay and to reimburse the employee or the member the employee's or member's reasonable lodging and meal expenses and necessary transportation expenses. To pay teaching personnel for time spent in sponsoring and working with school related trips or activities.

(10) To transport children to and from school, when in the opinion of the governing body the transportation is necessary, including considerations for the safety of the children and without regard to the distance the children live from the school. The transportation must be otherwise in accordance with applicable law.

(11) To provide a lunch program for a part or all of the students attending the schools of the school corporation, including the establishment of kitchens, kitchen facilities, kitchen equipment, lunch rooms, the hiring of the necessary personnel to operate the lunch program, and the purchase of material and supplies for the lunch program, charging students for the operational costs of the lunch program, fixing the price per meal or per food item.

To operate the lunch program as an extracurricular activity, subject to the supervision of the governing body. To participate in a surplus commodity or lunch aid program.

(12) To purchase textbooks, to furnish textbooks without cost or to rent textbooks to students, to participate in a textbook aid program, all in accordance with applicable law.

(13) To accept students transferred from other school corporations and to transfer students to other school corporations in accordance with applicable law.

(14) To make budgets, to appropriate funds, and to disburse the money of the school corporation in accordance with applicable law. To borrow money against current tax collections and otherwise to borrow money, in accordance with IC 20-48-1.

(15) To purchase insurance or to establish and maintain a program of self-insurance relating to the liability of the school corporation or the school corporation's employees in connection with motor vehicles or property and for additional coverage to the extent permitted and in accordance with IC 34-13-3-20. To purchase additional insurance or to establish and maintain a program of self-insurance protecting the school corporation and members of the governing body, employees, contractors, or agents of the school corporation from liability, risk, accident, or loss related to school property, school contract, school or school related activity, including the purchase of insurance or the establishment and maintenance of a self-insurance program protecting persons described in this subdivision against false imprisonment, false arrest, libel, or slander for acts committed in the course of the persons' employment, protecting the school corporation for fire and extended coverage and other casualty risks to the extent of replacement cost, loss of use, and other insurable risks relating to property owned, leased, or held by the school corporation. To:

(A) participate in a state employee health plan under IC 5-10-8-6.6;

(B) purchase insurance; or

(C) establish and maintain a program of self-insurance;

to benefit school corporation employees, including accident, sickness, health, or dental coverage, provided that a plan of self-insurance must include an aggregate stop-loss provision.

(16) To make all applications, to enter into all contracts, and to sign all documents necessary for the receipt of aid, money, or property from the state, the federal government, or from any other source.

(17) To defend a member of the governing body or any employee of the school corporation in any suit arising out of the performance of the member's or employee's duties for or employment with, the school corporation, if the governing body by resolution determined that the action was taken in good faith. To save any member or employee harmless from any liability, cost, or damage in connection with the performance, including the payment of legal fees, except where the liability, cost, or damage is predicated on or arises out of the bad faith of the member or employee, or is a claim or judgment based on the member's or employee's malfeasance in office or employment.

(18) To prepare, make, enforce, amend, or repeal rules, regulations, and procedures:



(A) for the government and management of the schools, property, facilities, and activities of the school corporation, the school corporation's agents, employees, and pupils and for the operation of the governing body; and

(B) that may be designated by an appropriate title such as "policy handbook", "bylaws", or "rules and regulations".

(19) To ratify and approve any action taken by a member of the governing body, an officer of the governing body, or an employee of the school corporation after the action is taken, if the action could have been approved in advance, and in connection with the action to pay the expense or compensation permitted under IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, and IC 20-48-1 or any other law.

(20) To exercise any other power and make any expenditure in carrying out the governing body's general powers and purposes provided in this chapter or in carrying out the powers delineated in this section which is reasonable from a business or educational standpoint in carrying out school purposes of the school corporation, including the acquisition of property or the employment or contracting for services, even though the power or expenditure is not specifically set out in this chapter. The specific powers set out in this section do not limit the general grant of powers provided in this chapter except where a limitation is set out in IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, and IC 20-48-1 by specific language or by reference to other law."

Delete pages 2 through 6.

Page 7, delete lines 1 through 13.

(Reference is to EHB 1076 as printed February 10, 2006.)

GARTON, Chair  
R. YOUNG, R.M.M.  
HERSHMAN

Report adopted.

#### COMMITTEE REPORT

Madam President: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedure, to which was referred Engrossed Senate Bill 192 because it conflicts with House Enrolled Act 1040-2006 without properly recognizing the existence of HEA 1040-2006, has had ESB 192 under consideration and begs leave to report back to the Senate with the recommendation that ESB 192 be corrected as follows:

Page 1, line 1, delete "P.L.10-2005," and insert "HEA 1040-2006, SECTION 528,".

Page 1, line 2, delete "SECTION 4,".

Page 3, line 35, delete "the the" and insert "the".

(Reference is to ESB 192 as printed February 24, 2006.)

GARTON, Chair  
R. YOUNG, R.M.M.  
BRAY

Report adopted.

#### MOTIONS TO DISSENT FROM HOUSE AMENDMENTS

##### SENATE MOTION

Madam President: I move that the Senate do not concur with the

House Amendments to Engrossed Senate Bill 54 and that a conference committee be appointed to confer with a like committee of the House.

NUGENT

Motion prevailed.

##### SENATE MOTION

Madam President: I move that Senators Bray and Meeks be added as coauthors of Senate Resolution 33.

BOWSER

Motion prevailed.

#### PRESIDENT PRO TEMPORE'S REPORT OF ASSIGNMENT OF CONFEREES

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1287:

Conferees: Landske and Craycraft

GARTON  
Date: 3/7/2006  
Time: 3:22 p.m.

Report adopted.

#### REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 139:

Conferees: Lawson, Chair and Lanane

GARTON  
Date: 3/7/2006  
Time: 2:20 p.m.

Report adopted.

#### PRESIDENT PRO TEMPORE'S REPORT OF ASSIGNMENT OF CONFEREES

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1338:

Conferees: Lubbers and Breaux  
Advisors: Landske and Rogers

GARTON  
Date: 3/7/2006  
Time: 2:15 p.m.

Report adopted.

## **REPORT OF THE PRESIDENT PRO TEMPORE**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 148:

Conferees: Riegsecker, Chair and Broden  
Advisors: Heinold and Bowser

GARTON  
Date: 3/7/2006  
Time: 3:25 p.m.

Report adopted.

## **PRESIDENT PRO TEMPORE'S REPORT OF ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1392:

Conferees: Paul and Lewis

GARTON  
Date: 3/7/2006  
Time: 2:17 p.m.

Report adopted.

## **PRESIDENT PRO TEMPORE'S REPORT OF ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1102:

Conferees: Lawson and Lewis

GARTON  
Date: 3/7/2006  
Time: 2:18 p.m.

Report adopted.

## **PRESIDENT PRO TEMPORE'S REPORT OF ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1029:

Advisors: Altling and Hume

GARTON  
Date: 3/7/2006  
Time: 2:05 p.m.

Report adopted.

## **MESSAGE FROM THE HOUSE**

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1420:

Conferees:

T. Brown, Chair  
Cheney

Advisors:

Dodge and C. Brown

M. CAROLINE SPOTTS  
Principal Clerk of the House

## **MESSAGE FROM THE HOUSE**

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1380:

Conferees:

J. Smith, Chair  
Austin

Advisors:

T. Harris and Yount

M. CAROLINE SPOTTS  
Principal Clerk of the House

## **MESSAGE FROM THE HOUSE**

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1123:

Conferees:

Budak, Chair  
Lawson

Advisor:

Crouch

M. CAROLINE SPOTTS  
Principal Clerk of the House

## **MESSAGE FROM THE HOUSE**

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1008:

Conferees:

Borrer, Chair  
Bauer

Advisors:

Woodruff, McClain, Duncan, Moses, and VanHaaften

M. CAROLINE SPOTTS  
Principal Clerk of the House

## **MESSAGE FROM THE HOUSE**

Madam President: I am directed by the House to inform the Senate

March 7, 2006

Senate 747

that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1155:

Conferees:

Budak, Chair

Bardon

Advisors:

J. Smith and Foley

M. CAROLINE SPOTTS  
Principal Clerk of the House

#### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1158:

Conferees:

Richardson, Chair

Lawson

Advisors:

Thomas and Kuzman

M. CAROLINE SPOTTS  
Principal Clerk of the House

#### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1172:

Conferees:

T. Harris, Chair

E. Harris

Advisors:

Bell and Turner

M. CAROLINE SPOTTS  
Principal Clerk of the House

#### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1176:

Conferees:

Woodruff, Chair

Bischoff

Advisor:

Burton

M. CAROLINE SPOTTS  
Principal Clerk of the House

#### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1214:

Conferees:

Davis, Chair

Pelath

Advisors:

Saunders and Bardon

M. CAROLINE SPOTTS  
Principal Clerk of the House

#### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1287:

Conferees:

Duncan, Chair

Goodin

Advisors:

Davis and Van Haaften

M. CAROLINE SPOTTS  
Principal Clerk of the House

#### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1240:

Conferees:

Behning, Chair

Porter

Advisor:

Messer

M. CAROLINE SPOTTS  
Principal Clerk of the House

#### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1259:

Conferees:

Koch, Chair

Crooks

Advisors:

Bright, Denbo, and Welch

M. CAROLINE SPOTTS  
Principal Clerk of the House

#### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1235:

Conferees:

Ruppel, Chair

Welch

## Advisors:

Noe, Duncan, and Tincher

M. CAROLINE SPOTTS  
Principal Clerk of the House

## MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1227:

## Conferees:

Budak, Chair  
Kromkowski

## Advisor:

Buell

M. CAROLINE SPOTTS  
Principal Clerk of the House

## MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1315:

## Conferees:

Thompson, Chair  
Hoy

## Advisors:

Frizzell and Tyler

M. CAROLINE SPOTTS  
Principal Clerk of the House

## MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1323:

## Conferees:

Dodge, Chair  
Moses

## Advisors:

Stutzman and Bell

M. CAROLINE SPOTTS  
Principal Clerk of the House

## MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1327:

## Conferees:

Espich, Chair  
Crawford

## Advisors:

Pond, Cochran, and Orentlicher

M. CAROLINE SPOTTS  
Principal Clerk of the House

## MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1338:

## Conferees:

T. Harris, Chair  
Porter

## Advisors:

Noe and Stilwell

M. CAROLINE SPOTTS  
Principal Clerk of the House

## MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1353:

## Conferees:

Walorski, Chair  
Crooks

## Advisor:

Koch

M. CAROLINE SPOTTS  
Principal Clerk of the House

## MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1362:

## Conferees:

Buck, Chair  
Mahern

## Advisor:

Whetstone

M. CAROLINE SPOTTS  
Principal Clerk of the House

## MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1392:

## Conferees:

Ripley, Chair  
Fry

## Advisors:

Borders and Torr

M. CAROLINE SPOTTS  
Principal Clerk of the House

## MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following

Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1025:

Conferees:

J. Smith, Chair  
Klinker

Advisors:

Koch and T. Brown

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1029:

Conferees:

Buell, Chair  
Klinker

Advisors:

Bright and Orentlicher

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1056:

Conferees:

Duncan, Chair  
Mays

Advisor:

Wolkins

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1099:

Conferees:

Frizzell, Chair  
Crooks

Advisors:

Bell, Stutzman, and C. Brown

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1102:

Conferees:

Ayres, Chair  
Stevenson

Advisors:

Hinkle and Thompson

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1110:

Conferees:

T. Brown, Chair  
Pierce

Advisors:

Helm and Micon

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1114:

Conferees:

Foley, Chair  
Van Haaften

Advisor:

Neese

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1117:

Conferees:

Wolkins, Chair  
Dvorak

Advisors:

Heim and Mahern

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1001:

Conferees:

Espich, Chair  
Crawford

## Advisors:

Turner, Buell, Klinker, and Kersey

M. CAROLINE SPOTTS  
Principal Clerk of the House

## MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1010:

## Conferees:

Wolkins, Chair  
Dvorak

## Advisors:

Foley, Cherry, and Van Haaften

M. CAROLINE SPOTTS  
Principal Clerk of the House

## MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1016:

## Conferees:

Ayres, Chair  
Cheney

## Advisor:

Ulmer

M. CAROLINE SPOTTS  
Principal Clerk of the House

## MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1018:

## Conferees:

Lutz, Chair  
Robertson

## Advisors:

Wolkins and Oxley

M. CAROLINE SPOTTS  
Principal Clerk of the House

## MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 258:

## Conferees:

Espich and Kuzman

## Advisors:

Leonard, Turner, and Crawford

M. CAROLINE SPOTTS  
Principal Clerk of the House

## MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 284:

## Conferees:

T. Brown and C. Brown

## Advisor:

Duncan

M. CAROLINE SPOTTS  
Principal Clerk of the House

## MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 305:

## Conferees:

Hinkle and Klinker

## Advisor:

Noe

M. CAROLINE SPOTTS  
Principal Clerk of the House

## MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 340:

## Conferees:

Woodruff and Welch

## Advisors:

Torr and Pflum

M. CAROLINE SPOTTS  
Principal Clerk of the House

## MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 345:

## Conferees:

Espich and Cochran

## Advisors:

Turner, Buell, and Welch

M. CAROLINE SPOTTS  
Principal Clerk of the House

## MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 349:

## Conferees:

Burton and Mahern

March 7, 2006

Senate 751

Advisors:

Ripley and Fry

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 333:

Conferees:

T. Harris and Oxley

Advisors:

Thompson and Crooks

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 321:

Conferees:

Torr and Stilwell

Advisors:

Leonard and Kromkowski

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 303:

Conferees:

Davis and Goodin

Advisors:

Duncan and Oxley

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 266:

Conferees:

Lehe and C. Brown

Advisor:

T. Brown

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate

that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 253:

Conferees:

Hoffman and Bischoff

Advisor:

Lehe

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 172:

Conferees:

Behning and Porter

Advisor:

Messer

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 117:

Conferees:

T. Brown and Cheney

Advisors:

Leonard and Pierce

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 87:

Conferees:

Gutwein and Grubb

Advisors:

Yount and Friend

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 1:

Conferees:

Buck and Mahern

Advisor:

Whetstone

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 6:

Conferees:

Foley and Grubb

Advisors:

Bright and J. Smith

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 12:

Conferees:

Ulmer and Kuzman

Advisor:

Foley

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 41:

Conferees:

T. Brown and C. Brown

Advisor:

Crouch

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 75:

Conferees:

Stutzman and Reske

Advisor:

Woodruff

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like

committee of the Senate on Engrossed Senate Bill 77:

Conferees:

Heim and Stilwell

Advisor:

Hoffman

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 83:

Conferees:

Torr and Bardon

Advisor:

Thomas

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 106:

Conferees:

Walorski and Fry

Advisors:

Davis and Turner

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 193:

Conferees:

Foley and Van Haaften

Advisor:

Bell

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 202:

Conferees:

T. Brown and C. Brown

Advisor:

Budak

M. CAROLINE SPOTTS  
Principal Clerk of the House



MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted the Senate amendments to Engrossed House Bills 1017, 1022, 1028, 1097, 1106, 1112, 1113, 1124, 1128, 1156, 1207, 1232, 1236, 1238, 1300, 1347, 1368, 1395, 1397, and 1418 and are eligible for enrollment.

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 48 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 55 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS  
Principal Clerk of the House

**MESSAGE FROM THE PRESIDENT PRO TEMPORE  
OF THE INDIANA STATE SENATE**

Madam President and Members of the Senate: I have on March 7, 2006, signed House Enrolled Act 1065.

ROBERT D. GARTON  
President Pro Tempore

**MESSAGE FROM THE PRESIDENT PRO TEMPORE  
OF THE INDIANA STATE SENATE**

Madam President and Members of the Senate: I have on March 7, 2006, signed House Enrolled Act 1103.

ROBERT D. GARTON  
President Pro Tempore

**MESSAGE FROM THE PRESIDENT PRO TEMPORE  
OF THE INDIANA STATE SENATE**

Madam President and Members of the Senate: I have on March 7, 2006, signed House Enrolled Act 1107.

ROBERT D. GARTON  
President Pro Tempore

**MESSAGE FROM THE PRESIDENT PRO TEMPORE  
OF THE INDIANA STATE SENATE**

Madam President and Members of the Senate: I have on March 7, 2006, signed House Enrolled Act 1023.

ROBERT D. GARTON  
President Pro Tempore

**MESSAGE FROM THE PRESIDENT PRO TEMPORE  
OF THE INDIANA STATE SENATE**

Madam President and Members of the Senate: I have on March 7, 2006, signed House Enrolled Act 1049.

ROBERT D. GARTON  
President Pro Tempore

**MESSAGE FROM THE PRESIDENT PRO TEMPORE  
OF THE INDIANA STATE SENATE**

Madam President and Members of the Senate: I have on March 7, 2006, signed House Enrolled Act 1134.

ROBERT D. GARTON  
President Pro Tempore

**MESSAGE FROM THE PRESIDENT PRO TEMPORE  
OF THE INDIANA STATE SENATE**

Madam President and Members of the Senate: I have on March 7, 2006, signed House Enrolled Act 1331.

ROBERT D. GARTON  
President Pro Tempore

**MESSAGE FROM THE PRESIDENT PRO TEMPORE  
OF THE INDIANA STATE SENATE**

Madam President and Members of the Senate: I have on March 7, 2006, signed House Enrolled Act 1286.

ROBERT D. GARTON  
President Pro Tempore

**MESSAGE FROM THE PRESIDENT PRO TEMPORE  
OF THE INDIANA STATE SENATE**

Madam President and Members of the Senate: I have on March 7, 2006, signed House Enrolled Act 1249.

ROBERT D. GARTON  
President Pro Tempore

**MESSAGE FROM THE PRESIDENT PRO TEMPORE  
OF THE INDIANA STATE SENATE**

Madam President and Members of the Senate: I have on March 7, 2006, signed House Enrolled Act 1234.

ROBERT D. GARTON  
President Pro Tempore

**MESSAGE FROM THE PRESIDENT PRO TEMPORE  
OF THE INDIANA STATE SENATE**

Madam President and Members of the Senate: I have on March 7, 2006, signed House Enrolled Act 1279.

ROBERT D. GARTON  
President Pro Tempore

**MESSAGE FROM THE PRESIDENT PRO TEMPORE  
OF THE INDIANA STATE SENATE**

Madam President and Members of the Senate: I have on March 7, 2006, signed House Enrolled Act 1299.

ROBERT D. GARTON  
President Pro Tempore

**SENATE MOTION**

Madam President: I move that Senator Waterman be added as coauthor of Senate Resolution 33.

BOWSER

Motion prevailed.

**REPORT OF THE  
PRESIDENT PRO TEMPORE**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 54:

Conferees: Nugent, Chair and Hume

GARTON  
Date: 3/7/2006  
Time: 4:02 p.m.

Report adopted.

**SENATE MOTION**

Madam President: I move we adjourn until 1:30 p.m., Wednesday, March 8, 2006.

GARTON

Motion prevailed.

The Senate adjourned at 4:10 p.m.

MARY C. MENDEL  
Secretary of the Senate

REBECCA S. SKILLMAN  
President of the Senate